

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

734H0534

## HOUSE HEALTH AND HUMAN SERVICES

### COMMITTEE ENGROSSED NO. **SB 93** - 02/08/2002

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Senators Madden, de Hueck, Everist, Greenfield, Ham, Hutmacher, Koskan, McIntyre, Olson (Ed), Staggers, Sutton (Dan), and Whiting and Representatives Peterson (Bill), Adelstein, Begalka, Broderick, Clark, Duenwald, Frost, Heineman, Klaudt, Napoli, Olson (Mel), Pitts, Valandra, and Van Etten

1 FOR AN ACT ENTITLED, An Act to establish certain requirements for genetic testing.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That chapter 34-14 be amended by adding thereto a NEW SECTION to read as  
4 follows:

5 If a genetic test, as defined in § 34-14-21, is required or authorized by state law, or  
6 performed in the state, the test shall be performed in a laboratory accredited by the College of  
7 American Pathologists, the Joint Commission on Accreditation of Healthcare Organizations, or  
8 any accreditation body approved by the United States Secretary of Health and Human Services  
9 and which has requirements that are substantially equivalent to, or more comprehensive than,  
10 those of the College of American Pathologists. In addition, the laboratory shall be enrolled in a  
11 proficiency testing program sponsored by an organization approved by the Centers for Medicare  
12 and Medicaid Services. Nothing in this section alters the ability of the state health laboratory to



1 perform genetic tests.

2 Section 2. That § 34-14-24 be amended to read as follows:

3 34-14-24. Nothing in §§ 34-14-21 to 34-14-24, inclusive, or section 1 of this Act, alters the  
4 ability to perform genetic tests done in pursuance of a lawful criminal investigation or court  
5 order.